

S/N 10/700098

PATENT**REMARKS**

Favorable reconsideration of this application is respectfully requested in view of the above amendments and following remarks. The dependency of claim 16 is again revised to depend upon claim 1, since the amendment of claim 16 previously submitted on December 19, 2007 did not include the correct claim identifier. Claim 21 is added and supported, for instance, in Examples of Applicants' disclosure as originally filed. No new matter has been added. Claims 1-7, 10-13, 16, 19, 20, and 21 are pending.

Turning to the substance of the Office Action, claims 1-7, 10-13, 16, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cho et al. (US 7,179,560), in view of Stonehart et al. (US 5523181). The rejection should be withdrawn because Cho et al. is not available as prior art. Cho et al. has an effective filing date of July 28, 2003, which is subsequent to the priority date November 5, 2002 of Japanese priority application JP 2002-321663. A certified copy of JP 2002-321663 was submitted at the time of filing the present US application, and a Verified Translation is submitted herewith.

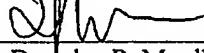
Withdrawal of the rejection is respectfully requested.

In view of the above amendments and remarks, Applicants believe that the pending claims are in a condition for allowance. Favorable consideration in the form of a Notice of Allowance is respectfully solicited. If any questions arise regarding this communication, the Examiner is invited to contact Applicants' representative listed below.

Respectfully submitted,



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Dated: November 12, 2008

VERIFICATION OF TRANSLATION

U.S. Patent Application Serial No. 10/700098

Filing Date: 3 November 2003

Title of the Invention: FUEL CELL

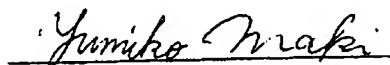
I, Yumiko MAKI, whose full post office address is IKEUCHI ·  
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am the translator of the document attached and I state that the following  
is a true translation to the best of my knowledge and belief of Japanese  
Patent Application No. 2002-321663 (Date of Application: 5 November  
2002).

At Osaka, Japan

Dated this 14/ 10/ 2008 (Day/Month/Year)

Signature of translator:



Yumiko MAKI